

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

**Appvion, Inc. Retirement Savings and
Employee Stock Ownership Plan,**

Plaintiff,

v.

Case No. 18cv1861

Buth *et al.*,

Defendants.

STIPULATION TO EXTEND THE BRIEFING PERIOD

Plaintiff Appvion, Inc., Retirement Savings and Employee Stock Ownership Plan, by and through Grant Lyon in his capacity as the ESOP Administrative Committee of Appvion, Inc. (“Plaintiff”), by Beus & Gilbert PLLC by L. Richard Williams and Leo R. Beus, and by The Previant Law Firm, S.C. by Sara J. Geenen and Defendants Stout Risius Ross, Inc., Stout Risius Ross, LLC, Robert and Lynn Socol, Aziz El-Tahch and Ayelish M. McGarvey, and Scott and Debora Levine (the “SRR Defendants”), by Groom Law Group, Chartered by Lars C. Golumbic; Defendants Reliance Trust Company, Howard and Wendy Kaplan, Stephen and Jane Doe Martin, and David and Jane Doe Williams (the “Reliance Defendants”) by Bryan Cave Leighton Paisner LLP by Jeffrey Russell; Defendants State Street Bank and Trust Company, N.A., Kelly Driscoll, and Sydney and Stephen Marzeotti (the “State Street Defendants”) by Goodwin Procter LLP by James O. Fleckner and Gabrielle Gould; Defendants Houlihan Lokey Financial Advisors, Inc. and Houlihan Lokey Capital, Inc. and Louis and Rosemary Paone (the “Houlihan Lokey Defendants”) by McDermott Will & Emery LLP by Ted Becker and J. Christian Nemeth; Defendants Argent Trust Company, Stephen and Jane Doe Martin, and David and Jane Doe

Williams (the “Argent Defendants”) by Keating Muething & Klekamp PLLC by Michael L. Scheier and Brian P. Muething; Defendant Willamette Management Associates Inc.

(“Willamette”) by Holland & Knight LLP by Richard Winter, Chelsea Ashbrook McCarthy and Maureen Browne Schoaf; and Defendants Kerry Arent, Timothy Arent, Douglas P. Buth, Gayle Buth, Lisa L. Carter, Stephen Carter, Debra L. Fantini, Rick Fantini, Carol J. Ferree, Tom Ferree, Angela Gilligan, Kevin Gilligan, Anne Karch, Paul J. Karch, Mary E. Murphy, Terry Murphy, Ronald Pace, Teresa Pace, Dale Parker, Debrah Parker, Andrew Reardon, Michele Reardon, Jeanne Richards, Mark Richards, Susan Scherbel, Thomas Scherbel, Kathi Seifert, Stephen Seifert, Mark Suwyn, Patricia Suwyn, Angela Tyczkowski, Mark Tyczkowski, Andrea Willetts, and Kent Willets (the “Officer and Director Defendants”) by Jenner and Block LLP by Craig C. Martin, David Jiménez-Ekman, and Michael T. Graham hereby stipulate and agree as follows:

1. Plaintiff filed the Complaint in this matter on November 26, 2018. *See* ECF 1. The First Amended Complaint (“FAC”) was filed on January 8, 2019.
2. In light of the complex nature of this litigation and the number of claims and defendant groups, the parties stipulated to an extension of time to file responsive pleadings to the FAC until February 28, 2019. ECF 84.
3. On February 28, 2019, eight Motions to Dismiss with supporting memoranda were timely filed by Defendants. Willamette (ECF 94, 95), the State Street Defendants (ECF 96, 97), Argent Trust Company (ECF 101, 102), Former Officer and Director Defendants and Uninvolved Spouses (Doc 105, 106), the SRR Defendants (ECF 107, 108), the Houlihan Lokey Defendants (ECF 109, 110-1), Individual Trustee Employee Defendants (ECF 112, 113) and the Reliance Defendants (ECF 114, 115). Each memorandum runs 25 to 30 pages and many were

filed with exhibits appended, and contains many discrete legal arguments to which Plaintiff must respond.

4. Under Civil L.R. 7(b), a party has 21 days to respond to a Motion to Dismiss. In light of the number of motions as well as the number and complexity of issues to be addressed, the parties agree to extend Plaintiff's time to respond to May 9, 2019.

5. Under Civil L.R. 7(c), a moving party has 14 days from the service of the response memorandum to file and serve a reply. For the same reasons noted above, the parties agree to extend Defendants' time to file and serve their respective replies to June 20, 2019.

6. The parties further stipulate that all discovery and other proceedings shall be stayed pending resolution of the motions to dismiss.

In light of the foregoing, the parties respectfully request that the Court enter an Order extending the deadlines to respond and reply to the Motions to Dismiss and staying all discovery and other proceedings as set forth herein.

Dated this 13th day of March, 2019.

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